

May 29, 2008

Alva DeJarnett-Miller  
Office of the General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

RE: MUR 6004

Dear Ms. De Jarnett-Miller

In response to the Complaint filed in this case, I enclose the following:

1. A response to the complaint on behalf of Raymond N. Mashni, Treasurer,
2. Designations of Counsel on behalf of myself, Friends of Andrew Concannon and Concannon for Congress designating Mr. Mashni as the Representative for those entities. The response to the complaint of behalf of those 3 respondents will be filed by Mr. Mashni under separate cover.

If you have any questions, please do not hesitate to call me at (989) 274-3490. Thank you.

Sincerely,



Andrew D. Concannon  
Representative for Respondent, Raymond N. Mashni

Attachments

FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

2008 MAY 30 A 11:20

28044220660



May 29, 2008

Alva DeJarnett-Miller  
Office of the General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

RECEIVED  
OFFICE OF GENERAL  
COUNSEL  
MAY 30 A 11:20

RE: MUR 6004

Dear Ms. De Jarnett-Miller

I am writing in response to the complaint filed with your office by Mr. Jeff Timmer, Executive Director of the Michigan Republic Party. I write on behalf of 1 of the respondents, Raymond N. Mashni, Treasurer of the campaign.

I am asking that your office finds that there is no reason to believe that Raymond N. Mashni has violated federal campaign finance laws.

The complaint makes two general charges, both factually incorrect. First, the complainant alleges that the congressional campaign committee has received contributions and made expenditures for federal electoral activities from impermissible sources, has received contributions in excess of the contribution limits, and has failed to disclose financial activity. Two, the complainant alleges that the congressional campaign committee has not appropriately disclosed in full campaign expenditures associated with trinkets and campaign paraphernalia distributed at a St. Patrick's Day parade in County Clare, Michigan.

#### 1. Impermissible Contributions and Expenditures

I initiated exploratory activities to determine the viability of a candidacy for public office in late November 2007. All political organizations, unless specifically exempt, are required to register with the Internal Revenue Service (IRS) within 24 hours. Since I did not know for certain at the time I initiated these activities that I would become a candidate, register a campaign committee with the FEC, and therefore subsequently become exempt from IRS registration and on-going periodic filing, I applied for a tax identification number for a campaign committee, and completed the IRS registration process under the name of Friends of Andrew Concannon.

In January 2008, I became a candidate for U.S. Congress, registered this same political organization with the FEC under the name of Concannon for Congress by filing FEC Form 1,

P.O. Box 6958 • Saginaw, MI 48608-6958 • (866) 764-2008  
[www.concannonforcongress.com](http://www.concannonforcongress.com)

Paid for by Friends of Andrew Concannon

Contributions are not tax deductible under federal law. To comply with federal law, we must use best efforts to obtain, maintain and submit the name, address, occupation and employer of individuals whose contributions exceed \$200 in an election cycle.



28044220662

**Statement of Organization.** This filing disclosed the previous IRS registration on the Statement of Organization by listing it as an "affiliated" committee, but the political organizations are one in the same committee. Friends of Andrew Concannon is not a "separate 527" committee as the complainant alleges, but rather a precursor committee.

Prior to registration with the FEC in January 2008, the campaign committee did not receive any contributions or incur any expenses other than disbursements made by me that I contributed in-kind to the federal campaign committee. Exploratory activities were limited to personal contacts and communications between myself and potential supporters and campaign development. Therefore, no contributions or transfers of funds were received from impermissible sources or "nonfederal" entities, and no contributions or monies have been received in excess of the applicable federal contribution limits as the complainant maliciously charges. My in-kind contributions and disbursements were disclosed on the April 15 Quarterly report to the extent required by FEC regulations.

To clarify matters, the committee's organizational documents have been amended to identify the campaign name as "Friends of Andrew Concannon" "aka Concannon for Congress."

## **2. Parade Trinkets & Other Paraphernalia**

The complainant alleges that the April Quarterly report did not disclose adequate disbursements for expenses associated with the candidate's participation in the County Clare St. Patrick's Day parade.

A. T-shirts. The cost of the t-shirts was \$162.18, and was disclosed on the April Quarterly report as part of the payment to Nancy Cabrera on 3/24/08. Please see attached in Exhibit A her invoice from Saginaw Knitting Mills.

B. Car signs, truck rental and trailer rental. Two digital signs bearing my image were on display at the parade grounds, as well as the truck & trailer used to haul and position the signs. The owners of the signs, two individuals, provided the signs as a voluntary expression of support. The individuals were exercising their freedom to speech, protected political speech, and did not intend to make a donation.

Upon investigation, the cost of the sign usage and accessories is \$350.00. The individuals who own the sign and operate the business of "Dave's Sign Rental" are not organized as a corporation. As such, even if the provision of the signs is considered to be an in-kind contribution rather than the voluntary use of personal property, use of the signs would be an in-kind contribution from a permissible source. To the extent that the Federal Election Commission views the sign as a "contribution," the appropriate remedy would be to amend the April Quarterly report to add it.

C. The 4 x 8 signs were printed in January 2008 by Keystone Printing, and paid by me. The in-kind contribution from the candidate on 01/09/08 in the amount of \$402.00 discloses the payment for printing and was also reported on the April Quarterly report. Please see attached in Exhibit B the invoice for these signs.

D. Candy to hand out along parade route. The cost of these items was \$62.69 and was disclosed on the April Quarterly report as part of the payment to Nancy Cabrera on 3/24/08. Please see attached in Exhibit C her receipts from Sam's Club. Please note that the baskets mentioned in the complaint used to hold the candy were the personal property of individuals and returned to the owners after the parade.

Given the facts as discussed above, I would like to ask that this complaint be dismissed with no further action as the complainant, the representative of a biased partisan organization, has failed to provide a basis for his allegations other than speculation.

Sincerely,



Andrew D. Concannon  
Representative for Respondent, Raymond N. Mashni

Attachments

28044220663

# SCREEN PRINTING

Quantity (in units)	Style	Description	Size If Applicable				Color	Price Each	TOTAL
26	5006	Irish green shirt	4	8	5	9	White	\$5.10	132.6
4	5000B	Irish green Youth t	1	1	2		White	\$5.10	20.4

Art Charge \_\_\_\_\_ Screen Charge \_\_\_\_\_ Under Minimum \_\_\_\_\_ Add. Fee \_\_\_\_\_

**DESIGN**

**FC** Conannon  
for  
Congress

**EB** "Vote for me"  
(?) I'm Irish

PRINTED BY: Tammy Tamme

150 1 & 7/8

**Remarks:**

NAMES \_\_\_\_\_ #S \_\_\_\_\_

This order covers special merchandise made for you and not carried in stock. It is not subject to cancellation, return or exchange. Additional charges may be incurred to meet standard requirements. 100% per month will be charged on all accounts over 30 days. Annual rate 10%.

Buyer's Signature: \_\_\_\_\_

**Merchandise** 153.00

**Tax** \_\_\_\_\_

**Deposit** \_\_\_\_\_

**Total** \_\_\_\_\_

**Freight** \_\_\_\_\_

**GRAND TOTAL** 162.00

pack 3-4  
6201

Exhibit A



18400 S. US Highway 27  
Lansing, Michigan 48206-8806  
817485-0032 • FAX 817485-4088

# Invoice

DATE	INVOICE
1/9/2008	27655

**BILL TO**  
**ANDREW CONCANNON**  
 3168 Sundown Lane  
 Saginaw MI 48603

**SHIP TO**

PO NUMBER	TERM	DATE	SHIP	VIA	SHIP	PROJECT
	Due on receipt	TC	1/9/2008	Pick-up	4828	
QUANTITY	ITEM CODE	DESCRIPTION	PRICE EACH	AMOUNT		
1	Tax - Printing	24 x 96 VINYL BANNER	180.00	180.00T		
1	Tax - Printing	24 X 96 COROPLAST SIGN	200.00	200.00T		
		Sales Tax	6.00%	22.80		
<p><b>THANK YOU FOR YOUR ORDER!</b></p>						
<p>Balances not paid within 30 days of invoice date will accrue a service charge of 1.5% per month.</p>					<b>TOTAL</b>	<b>\$402.80</b>

Exhibit B

28044220665

28044220666



6663 SADDON  
CLUB MEMBER NIKIE CHERNEY  
( 989 ) 790 - 0984  
Fax and Full 8 (989) 790-2080  
03/14/08 15:27 6663 6663 005 1833

U MEMBER

**THANK YOU,**  
SAMS CLUB MEMBER N D P C

123764 8888	5.17	N
16869 KIRKIE MIX	7.88	N
125490 PLAYTIDE	7.88	N
104946 SHIRIN	7.43	N
SUBTOTAL	28.36	
TOTAL	28.36	
CHECK TEND	28.36	
CHANGE DUE	0.00	

**# ITEMS SOLD 4** 16.71

TCR 9788 1846 1819 264 9636

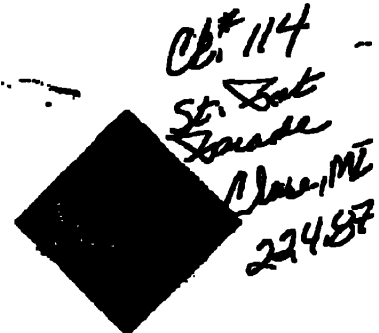


\*\*\*IMPORTANT NOTICE\*\*\*  
OUR PRIVACY POLICY HAS CHANGED

We've updated our Privacy Policy, Effective 03/16/08. The updated policy is designed to be easier to read and understand. The updated policy expands on our description of the information you provide when you register and describes the types of non-personal information we collect when you visit our website. It also provides an updated description of our use and disclosure of your information, so that we can continue to expand upon and improve the services we, and our business partners, may offer you.

For more information, you may view the updated Privacy Policy in its entirety at [www.samsclub.com/privacy](http://www.samsclub.com/privacy).

Save on credit card processing for your business. Call 1.800.222.0178.  
03/14/08 15:28:27



6663 SADDON  
CLUB MEMBER NIKIE CHERNEY  
( 989 ) 790 - 0984  
Fax and Full 8 (989) 790-2080  
03/11/08 11:21 1479 6663 009 1864

U MEMBER

**THANK YOU,**  
SAMS CLUB MEMBER N D P C

16869 KIRKIE MIX	7.88	N
125490 PLAYTIDE	7.88	N
125490 PLAYTIDE	7.88	N
16869 KIRKIE MIX	7.88	N
972623 SUN BUNS 340	6.68	N
966784 CHEVY MIX	7.78	N
SUBTOTAL	46.96	
TOTAL	46.96	
CHECK TEND	46.96	
CHANGE DUE	0.00	

**# ITEMS SOLD 6**

TCR 4063 2886 2021 6674 1797



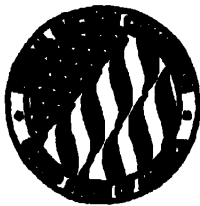
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For more information, you may view the updated Privacy Policy in its entirety at [www.samsclub.com/privacy](http://www.samsclub.com/privacy).

Rock your 2008 Cruise now and save!  
Call 1.800.555.7257  
03/11/08 11:23:17

Exhibit C



FEDERAL ELECTION COMMISSION  
999 E Street, NW  
Washington, DC 20463

STATEMENT OF DESIGNATION OF COUNSEL  
Please use one form for each Respondent/Client.  
FAX (202) 219-3923

MUR # 6004

NAME OF COUNSEL: Raymond N. Mashni

FIRM: Raymond N. Mashni, P.C.

ADDRESS: 132 W. Nepeensing St.

Lapeer, MI 48446

TELEPHONE- OFFICE (810) 245-2042

FAX (810) 667-2041

The above-named individual and/or firm is hereby designated as my  
counsel and is authorized to receive any notifications and other communications  
from the Commission and to act on my behalf before the Commission.

5-19-08 Edward W. Lapeer Respondent  
Date Respondent/ Client Signature Title

RESPONDENT/CLIENT Concannon for Congress  
(Please Print)

MAILING ADDRESS: PO Box 6958

Saginaw, MI 48608-6958

TELEPHONE- HOME \_\_\_\_\_

BUSINESS (866) 764-2008

Information is being sought as part of an investigation being conducted by the Federal Election  
Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) apply. This section  
prohibits making public any investigation conducted by the Federal Election Commission without  
the express written consent of the person under investigation





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5-19-08

Date

Andrew Concannon

Respondent/ Client Signature

Respondent

Title

Friends of Andrew Concannon

RESPONDENT/CLIENT  
(Please Print)

MAILING  
ADDRESS:

PO Box 6958

Saginaw, MI 48608-6958

TELEPHONE- HOME

BUSINESS (810) 764-2008

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MUR # 6004

NAME OF COUNSEL: Raymond N. Mashni

FIRM: Raymond N. Mashni, P.L.C.

ADDRESS: 132 W. Neversing St  
Lapeer, MI 48446

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FAX (810) 667-2041

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from the Commission and to act on my behalf before the Commission.

5-19-08 Andrew Concannon Respondent  
Date Respondent/ Client Signature Title

Andrew Concannon, as treasurer  
RESPONDENT/CLIENT  
(Please Print)

MAILING ADDRESS: PO Box 6958  
Saginaw, MI 48608-6958

TELEPHONE- HOME \_\_\_\_\_  
BUSINESS (866) 764-2008

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28044220669